
MINUTES
OF THE
THIRD SESSION
OF THE FOURTEENTH
GENERAL ASSEMBLY
OF THE
COMMONWEALTH
OF
PENNSYLVANIA,

Which commenced at PHILADELPHIA, on TUESDAY, the
twenty-fourth day of AUGUST, in the Year of our Lord
One Thousand Seven Hundred and Ninety.

Tuesday, August 24, 1790. P. M.

The House met pursuant to adjournment.

On motion, *Ordered,*

THAT Mr. *Wynkoop*, Mr. *Ryerſon* and Mr. *Rhea* be a committee, to
inform the Supreme Executive Council that the House, being met,
are ready to receive any buſineſs they may have to lay before them.

Adjourned until ten o'clock to-morrow, A. M.

Wednesday, August 25, 1790. A. M.

The House met pursuant to adjournment.

A petition from a considerable number of the inhabitants of the townships of *Chestnut-hill, Hamilton, Lower Smithfield, Delaware, and Upper Smithfield*, in the county of *Northampton*, was read, setting forth, that by reason of the extent and situation of the said townships, they are prevented from exercising the important privilege of suffrage at the general elections; therefore praying, that the townships of *Chestnut-hill, Hamilton and Lower Smithfield* may be erected into a separate district, and authorised to hold their elections at the house now occupied by *John Huston*, in *Hamilton* township aforesaid, and that the townships of *Delaware and Upper Smithfield* may be erected into a district, and the freemen thereof authorised to hold their elections at the house of *John Van Atten*, in *Delaware* township aforesaid.

Ordered to lie on the table.

A petition from a number of the Justices of the Peace, Grand Jury, Sheriff, Commissioners, and others, inhabitants of the county of *Delaware*, was read, setting forth, that the adjourned Court of Common Pleas for the county of *Philadelphia* and the Quarterly Meeting of the religious society of people called Quakers being held at the same time appointed by law for holding the courts within the said county, many persons are prevented from attending the said courts, to the great injury and delay of public business; therefore praying they may by law be enabled in future to hold the said courts on the first *Monday* in the months, respectively, in which they are now holden.

Ordered to lie on the table.

A petition from a number of the inhabitants of that part of the county of *Allegheny*, which lies between *Raccoon Creek* and the State line, was read, praying they may be re-annexed to the county of *Washington*.

Ordered to lie on the table.

The committee appointed yesterday, to inform the Supreme Executive Council that the House, being met, are ready to receive any business they may have to lay before them, reported—That they had performed that service, and received for answer, that Council have business, which they will transmit to the House to-morrow morning.

Adjourned until ten o'clock to-morrow, A. M.

Thursday, August 26, 1790. A. M.

The House met pursuant to adjournment.

A Message from the President and Supreme Executive Council was presented to the chair, and read, as follows, viz.

A MESSAGE from the PRESIDENT and SUPREME EXECUTIVE COUNCIL to the GENERAL ASSEMBLY.

GENTLEMEN,

WE send herewith the following acts and resolutions of the Congress of the United States, which we have received since your adjournment in *April* last.

An

An Act for giving effect to the several acts therein mentioned, in respect to the State of North-Carolina, and for other purposes.

An Act providing for the enumeration of the inhabitants of the United States.

An Act making appropriations for the support of government for the year one thousand seven hundred and ninety.

An Act to establish an uniform rule of naturalization.

An Act to prevent the exportation of goods not duly inspected according to the laws of the several States.

An Act to accept a cession of the claims of the State of North-Carolina to a certain district of Western Territory.

An Act to promote the progress of useful arts.

An Act further to suspend part of an act, entitled " An Act to regulate the collection of the duties imposed by law on the tonnage of ships or vessels, and on goods, wares and merchandizes, imported into the United States," and to amend the said act.

An Act for the punishment of certain crimes against the United States.

An Act for regulating the military establishment of the United States.

An Act to provide for mitigating or remitting the forfeitures and penalties accruing under the revenue laws, in certain cases therein mentioned.

An Act to continue in force an act, passed at the last session of Congress, entitled " An Act to regulate processes in the courts of the United States."

An Act to prescribe the mode in which the public acts, records and judicial proceedings in each State shall be authenticated, so as to take effect in every other State.

An Act for the government of the territory of the United States, south of the river Ohio.

An Act for the encouragement of learning, by securing the copies of maps, charts and books to the authors and proprietors of such copies, during the times therein mentioned.

An Act for finally adjusting and satisfying the claims of Frederick William De Steuben.

An Act for giving effect to an act, entitled " An Act to establish the Judicial Courts of the United States within the State of North-Carolina."

An Act supplemental to the act for establishing the salaries of the executive officers of government, with their assistants and clerks.

An Act for giving effect to the several acts therein mentioned, in respect to the State of Rhode-Island and Providence Plantations.

An Act for the relief of Thomas Jenkins and Company.

An Act for giving effect to an act, entitled " An Act to establish the Judicial Courts of the United States within the State of Rhode-Island and Providence Plantations."

An Act providing the means of intercourse between the United States and foreign nations.

An Act to satisfy the claims of John M'Cord against the United States.

An Act for the relief of Nathaniel Twining.

An Act for giving effect to an act, entitled " An Act providing for the enumeration of the inhabitants of the United States, in respect to the State of Rhode-Island and Providence Plantations."

An Act to authorize the purchase of a tract of land for the use of the United States.

An

An Act for establishing the temporary and permanent seat of government of the United States.

An Act further to provide for the payment of the invalid pensioners of the United States.

An Act for the government and regulation of seamen in the merchants service.

An Act imposing duties on the tonnage of ships or vessels.

An Act to regulate trade and intercourse with the Indian tribes.

An Act providing for the holding a treaty or treaties to establish peace with certain Indian tribes.

An Act to amend the act for the establishment and support of light-houses, beacons, buoys and public piers.

An Act to continue in force for a limited time an act, entitled " An Act for the temporary establishment of the post-office."

An Act for the relief of John Stewart and John Davidson.

An Act making provision for the debt of the United States.

An Act to provide more effectually for the collection of the duties imposed by law on goods, wares and merchandize, imported into the United States, and on the tonnage of ships or vessels.

An Act to provide more effectually for the settlement of the accounts between the United States and the individual States.

A Resolution respecting the arrears of pay due to the troops of the lines of the States of Virginia and North-Carolina.

A Resolution for the publication of treaties made, or which shall be made, under the authority of the United States.

A Resolution making allowance for the service of the clerks employed in the office of the Commissioners of army accounts; and

A Resolution to defray the expence of procuring seals for the Supreme, Circuit and District Courts of the United States.

We transmit a letter from the Delegates of this State in the Congress of the United States, on the subject of the temporary and permanent seat of the general government.

THOMAS MIFFLIN.

COUNCIL CHAMBER,
Philadelphia, August 26th, 1790.

And on motion, and by special order, the same was read the second time: Whereupon

Ordered, That so much of the said message, as relates to the letter from the Delegates representing this State in the Congress of the United States, together with the said letter, be referred to Mr. Rawle, Mr. Wynkoop, Mr. Hoge, Mr. Ealer and Mr. Lloyd, to report thereon.

A petition from a number of the inhabitants of the fifth election district within the county of Northumberland was read, praying they may be authorized to hold their elections at *Aaronsburg*.

Ordered to lie on the table.

A petition from *William Morris* was read, setting forth, that he hath at a considerable expence erected a ferry across the river *Juniata*, at the lower end of a place called *Jack's Narrows*, and praying the exclusive right of keeping the said ferry may be vested in him.

Ordered to lie on the table.

Agreeable

Agreeably to a resolution of this House of the 18th day of *March* last, *John Byers*, one of the Commissioners appointed *March* 22d, 1784, to view and examine the road leading from *Conrad Minick's* to *Sunbury*, and to mark and lay out a road the nearest and best the country will admit, &c. made report of the proceedings of said Commissioners, which was read, and

Ordered to lie on the table.

A representation of the Master-Warden, on behalf of himself and the Wardens of the port of *Philadelphia*, was read, setting forth, that the act of Assembly appropriating the duties of tonnage for their services, and contingent expences, hath been in part superseded by an act of the United States in Congress assembled, but that divers duties still remain to be performed by the said Wardens under the operation of the act of Assembly aforesaid, in the performance whereof they have afforded their services, and for which they have received no compensation; and praying the House would take the premises into consideration.

Ordered to lie on the table.

The petition of a considerable number of the inhabitants of the townships of *Chestnut-hill*, *Hamilton*, *Lower Smithfield*, *Delaware*, and *Upper Smithfield*, in the county of *Northampton*, read yesterday, was read the second time.

Ordered, That it be referred to the members from *Northampton* county, to report thereon.

The petition of a number of the inhabitants of that part of *Allegheny* county, which lies between *Raccoon* creek and the state line, read yesterday, was read the second time.

Ordered, That it be referred to Mr. *Lilley*, Mr. *Hoge* and Mr. *Vaux*, to report thereon.

The petition of a number of the Justices of the Peace, Grand Jury, Sheriff, Commissioners, and other inhabitants of the county of *Delaware*, read yesterday, was read the second time.

Ordered, That it be referred to Mr. *Rawle*, Mr. *Paul* and Mr. *Lloyd*, to report thereon.

Adjourned until ten o'clock to-morrow, A. M.

Friday, August 27, 1790. A. M.

The House met pursuant to adjournment.

Petitions from a number of the inhabitants of the second election district in the county of *Washington* were read, praying that a certain part of the said county may be erected into an election district, and the inhabitants authorised to hold their elections at the house now occupied by *David Hamilton*.

Ordered to lie on the table.

Petitions from a number of the inhabitants of the second election district in the county of *Washington* were read, remonstrating against altering the place for holding their general elections.

Ordered to lie on the table.

Petitions from a number of the inhabitants of the county of *York*, residing on the waters of *Yellow-Breeches* creek, were read, praying, that agreeably to the lines described in the said petitions they may be annexed to the county of *Cumberland*.

Ordered to lie on the table.

A petition from a number of the inhabitants of the township of *Shippensburg*, in the county of *Cumberland*, was read, setting forth, that by a late act of the Legislature, for ascertaining the boundary lines between the counties of *Cumberland* and *Franklin*, a small part of the said township falls within the county of *Franklin* aforesaid, and praying the same may be re-annexed to the county of *Cumberland*.

Ordered to lie on the table.

A memorial and representation from the Mayor, Aldermen and Citizens of *Philadelphia*, in Common-Council assembled, was read, suggesting, that the public buildings at present in the said city are inadequate to the reception of Congress; therefore praying this House to enable them, or some other body of men, to erect such buildings as may be necessary, suitable and convenient for that purpose, as well as for the reception and residence of the President of the United States.

Ordered to lie on the table.

The representation of the Master-Warden, on behalf of himself and the Wardens of the port of *Philadelphia*, read yesterday, was read the second time.

Ordered, That it be referred to the city members, to report thereon.

The committee appointed yesterday, on the petition of a number of the inhabitants of the townships of *Chestnut-hill*, *Hamilton*, *Lower Smithfield*, *Delaware*, and *Upper Smithfield*, in the county of *Northampton*, made report, which was read, as follows, viz.

The committee, to whom was referred the petition of the inhabitants of *Chestnut-hill*, *Hamilton*, *Lower Smithfield*, *Delaware*, and *Upper Smithfield* townships, in the county of *Northampton*, beg leave to report—

That the circumstances and situation of the petitioners are really such as set forth in the said petition, and that the prayer of the same is just and reasonable. Wherefore they submit the following resolution, viz.

Resolved, That a committee be appointed to bring in a bill, for erecting the townships of *Chestnut-hill*, *Hamilton* and *Lower Smithfield*, in the county of *Northampton*, into an election district; and for erecting the townships of *Delaware* and *Upper Smithfield* also into an election district.

Ordered to lie on the table.

The bill, entitled “ *A further Supplement to an act, entitled “ An Act for the attainder of divers traitors, if they render not themselves by a certain day, and for vesting their estates in the commonwealth, and for more effectually discovering the same, and for ascertaining and satisfying the lawful debts and claims thereon,*” was read the third time.

Ordered, That the consideration thereof be postponed.

Adjourned until ten o'clock to-morrow, A. M.

Saturday, August 28, 1790. A. M.

The House met pursuant to adjournment.

Petitions from 1223 inhabitants of the county of *Mifflin* were read, remonstrating against the seat of justice for the said county being fixed at the mouth of *Kishicoquillis* creek, and praying the act passed for erecting the said county may be altered and amended agreeably to the bill published for consideration.

Ordered to lie on the table.

A petition

A petition from *John M'Kibben* was read, setting forth, that he hath been by due course of law dispossessed of a tract of land in the county of *Washington*, by him claimed under a warrant issued from the land-office of this state, and praying he may be authorised to locate the said warrant within the donation lands set apart for the officers and soldiers of the late *Pennsylvania* line.

Ordered to lie on the table.

A petition from a number of the inhabitants of the county of *Huntingdon* was read, setting forth, that the road laid out and opened between the waters of the *Frank's-town* branch of *Juniata* and the *Conemaugh* river, agreeably to an act of Assembly passed 29th *March*, 1787, will not answer the valuable purposes thereby intended, in as much as it runs through a very rough and uninhabited country; and praying a law may be passed, to authorise the Supreme Executive Council to appoint commissioners to review the said road, and, if they think proper, to alter the courses thereof, and to draw upon the State Treasurer for a further sum, in addition to what has been already granted for the aforesaid purpose.

Ordered to lie on the table.

A petition from the pastor, elders and members of the Presbyterian congregation at *Middle Spring*, in the counties of *Cumberland* and *Franklin*, was read, praying to be incorporated; and on motion, and by special order, the same was read the second time: Whereupon

Ordered, That the prayer thereof be granted.

A memorial from the Mayor, Recorder, Aldermen and Citizens of *Philadelphia*, in Common-Council assembled, was read, containing their objections to the building a powder-magazine within the limits of the city, on account of the danger to be apprehended therefrom; and on motion, and by special order, the same was read the second time.

Ordered, That it be referred to Mr. *Rawle*, Mr. *Thomas* and Mr. *Hoge*, with instructions to confer with the Supreme Executive Council on the said subject, and report thereon.

A petition from *Jeremiah Reese* was read, praying he may be by law enabled to erect and maintain a tumbling-dam across *Conedogwinet* creek, within two or three miles of the mouth thereof.

Ordered to lie on the table.

A letter from *Charles Smith* and *Simon Snyder*, Esquires, was presented to the chair, and read, together with its inclosures, viz.

Depositions, tending to prove that undue means had been used to bring about a dismemberment of part of *Beaver-dam* township from the county of *Northumberland*; and

A petition from the inhabitants of the west end of *Beaver-dam* township, in the county of *Northumberland*, praying they may not be annexed to the county of *Mifflin*.

Ordered to lie on the table.

The petitions of a number of the inhabitants of the county of *York*, residing on the waters of *Yellow-Breeches* creek, read yesterday, were read the second time.

Ordered, That they be referred to Mr. *Dering*, Mr. *Marshall* and Mr. *D. Stewart*, to report thereon.

The petition of a number of the inhabitants of the fifth election district in the county of *Northumberland*, read *August* 26th, was read the second time.

Ordered,

Ordered, That it be referred to Mr. *Lilley*, Mr. *Ealer* and Mr. *White*, to report thereon.

The memorial of the Mayor, Aldermen and Citizens of *Philadelphia*, in Common-Council assembled, read yesterday, was read the second time.

Ordered, That it be referred to Mr. *Rawle*, Mr. *Wynkoop*, Mr. *Hoge*, Mr. *Ealer* and Mr. *Lloyd*, to report thereon.

The petition of a number of the inhabitants of the township of *Shippensburg*, in the county of *Cumberland*, read yesterday, was read the second time.

Ordered, That it be referred to Mr. *Lilley*, Mr. *Findley* and Mr. *McCreight*, to report thereon.

The petitions of the inhabitants of the second election district in the county of *Washington*, relative to the place for holding their general elections, read yesterday, were read the second time.

Ordered, That they be referred to Mr. *Kennedy*, Mr. *Baird* and Mr. *Rhea*, to report thereon.

The committee appointed *August* 26th, on the petition of the Justices, Grand Jury, Sheriff, and other inhabitants of the county of *Delaware*, made report, which was read, as follows, *viz.*

The committee, to whom was referred the petition of the Justices, Grand Jury, Sheriff, and other inhabitants of the county of *Delaware*, report—

That in their opinion it would conduce to the convenience of persons having business to transact in the courts of Common Pleas and Quarter Sessions of the said county, to alter the time of holding the courts according to the request of the petitioners: The following resolution is therefore submitted, *viz.*

Resolved, That the prayer of the petition of the Justices, Grand Jury, Sheriff, and other inhabitants of the county of *Delaware*, be granted, and the said petitioners have leave to bring in a bill, for the purpose of altering the time of holding the several county courts of law within the said county.

Ordered to lie on the table.

The committee on ways and means made report in part, *viz.*

A report of the Register-General of public accounts, relative to the revenues and expenditures of the commonwealth of *Pennsylvania*; which was read, and

Ordered to lie on the table.

On motion of Mr. *Kennedy*, seconded by Mr. *Gurney*,

Ordered, That two hundred copies of the said report from the Register-General be printed, for the use of the members of the General Assembly.

The report on the petition of the inhabitants of *Chestnut-hill*, *Hamilton*, *Lower Smithfield*, *Delaware* and *Upper Smithfield* townships, in the county of *Northampton*, read yesterday, was read the second time: Whereupon

Resolved, That a committee be appointed to bring in a bill for erecting the townships of *Chestnut-hill*, *Hamilton* and *Lower Smithfield*, in the county of *Northampton*, into an election district; and for erecting the townships of *Delaware* and *Upper Smithfield* also into an election district.

Ordered, That the members from *Northampton* county be a committee, to bring in a bill conformably to the foregoing resolution.

Adjourned until three o'clock on *Monday* next, P. M.

Monday,

Monday, August 30, 1790. P. M.

The House met pursuant to adjournment.

Petitions from 160 inhabitants of *Heidleberg* township, in the county of *Dauphin*, were read, praying said township may be re-annexed to the county of *Lancaster*.

Ordered to lie on the table.

A petition and memorial from *Adam Hubley, William Shannon* and *John Chalonier*, Auctioneers, was read, praying leave to bring in a bill to repeal so much of the present laws for the regulation of auctions and Auctioneers, as prohibits licensed Auctioneers from holding public sales within the districts of each other.

Ordered to lie on the table.

The petition of a number of the inhabitants of the county of *Huntingdon*, read *August 28th*, was read the second time.

Ordered, That it be referred to *Mr. Kennedy, Mr. Marshall* and *Mr. D. Stewart*, to report thereon.

The petition of sundry inhabitants of the county of *Bucks*, read *March 18th*, was read the second time.

Ordered, That it be referred to *Mr. Wynkoop, Mr. McDowell* and *Mr. Hopkins*, to report thereon.

The report on the petition of the Justices, Grand Jury, Sheriff, and others, inhabitants of the county of *Delaware*, read *August 28th*, was read the second time: Whereupon

Resolved, That the prayer of the petition of the Justices, Grand Jury, Sheriff, and other inhabitants of the county of *Delaware*, be granted, and the said petitioners have leave to bring in a bill, for the purpose of altering the time of holding their several courts of law within the said county.

The report on the petition of a number of the inhabitants of the county of *Washington*, read *April 1st*, was read the second time: Whereupon

Resolved, That a committee be appointed to bring in a bill, to be enacted into a law, declaring *Chartier's creek*, in *Washington* county, to be a public highway.

Ordered, That the same committee who made the report be a committee, to bring in a bill for the aforesaid purpose.

The committee appointed for the purpose reported a bill, entitled "*An Act for altering certain election districts in the county of Northampton*," which was read the first time, and

Ordered to lie on the table.

Agreeably to leave given, a member presented to the chair a bill, entitled "*An Act to alter the time of holding the County Courts of Common Pleas and Quarter Sessions for the county of Delaware*," which was read the first time, and

Ordered to lie on the table.

Mr. Rawle, in his place, read a bill, entitled "*A Supplement to the act, entitled 'An Act to reform the penal laws of this state'*;" and, having obtained leave, presented the same to the chair, when it was read the first time, and

Ordered to lie on the table.

The bill, entituled “ *An Act for raising, by way of Lottery, the sum of seven hundred and twenty-three pounds fifteen shillings, for defraying the expence of erecting an Academy and Parsonage-house in the borough of York,*” was read the second time, and considered by paragraphs.

Ordered, That it be transcribed for a third reading, and forthwith published for consideration.

Adjourned until ten o'clock to-morrow, A. M.

Tuesday, August 31, 1790. A. M.

The House met pursuant to adjournment.

A message from the President and Supreme Executive Council was read, as follows, viz.

A MESSAGE from the PRESIDENT and SUPREME EXECUTIVE COUNCIL to the GENERAL ASSEMBLY.

G E N T L E M E N,

UNDER the authority of a resolution of Assembly of the thirty-first of *March* last, we appointed *Timothy Matlack, John Adlum* and *Samuel Macclay* to examine and survey the *Quittapabilla, the Swatara*, and parts of the *Susquehanna* and *Juniata* rivers, and assigned to *Frederick Antes, Reading Howell* and *William Dean* the business of exploring the country near the head waters of the *Delaware*, of the east branch of *Susquehanna*, and of the rivers *Lehigh* and *Schuylkill*.—The Commissioners set out on the duties of their respective departments in *May*; but we have not received any communications from them.

In compliance with the resolution of your honorable House of the sixth of *April*, we have purchased a convenient lot of ground for *five hundred and sixty-five pounds* specie, and considerable progress is made in erecting upon it a magazine for gun-powder. It will be necessary to provide by law for paying the price of the lot and the expence of the building, which, as nearly as we can at present ascertain, will be *one thousand nine hundred and seventy-five pounds*. And we are of opinion that it will likewise be proper to give a legislative sanction to the storage of powder belonging to private citizens, as soon as that magazine will be ready to receive it.

We have not been able to carry into effect the intention of the Legislature expressed by the act of the sixth of *April*, as no one has been willing to undertake to put the banks of *Mud-Island* into good repair for the sum appropriated by the law: We conceive that *twelve hundred pounds* will be requisite for that purpose.

The adjustment of the claims of individual states against the United States being an object of considerable moment, several states had appointed agents to attend to the settlement of their respective accounts before the commissioners appointed by Congress; and therefore, in conformity to the sentiments of our Delegates, as well as the obvious utility of the measure, we have during your recess employed *Charles Pettit*, Esquire, for that purpose, as an agent on behalf of the state of *Pennsylvania*. The letter from our Delegates, and a letter from Mr. *Pettit* respecting the business of his agency,

we

we inclose, together with a letter from the Comptroller-General upon the state of the public accounts.

Council being called upon to discharge the balance due to *Robert Galbraith*, Esquire, on his contract for opening the road from *Frank's-town* to *Connemaugh*, we lay before your honorable House the information we have received with respect to the execution of that contract from *William Findley*, Esquire, a member of Council, who at our request has examined the road, and thinks it has been laid out conformably to Mr. *Galbraith's* undertaking.

We transmit a letter from the Attorney-General, on account of the opinion therein expressed, "that it would be sound policy to establish a rule of reciprocity with the nations of *Europe*, by an act of the Legislature, declaring the subjects of those states, in which our citizens are permitted to enjoy real property devised or descending to them, capable of a similar privilege in *Pennsylvania*." The act of the eleventh of *February* 1789, which enables aliens to purchase and hold lands in this commonwealth, will soon expire by its own limitation; and we conceive that a general and permanent rule on this important subject ought now to be adopted. How far that which is suggested by the Attorney-General may be proper, we submit to the wisdom of the Legislature.

The Trustees of the hospital on *State-Island* having represented to us that the wharf on the *Delaware*, for the landing of sick passengers who may be sent to the hospital, is in so ruinous a condition, that, unless speedily repaired, it must be entirely destroyed, we inclose their memorial, and recommend it to the attention of the Legislature.

We sincerely lament the occasion of laying before you the depositions of several persons, from which it appears, that in *June* last two friendly *Indians* were barbarously murdered on *Pine-creek*, *Northumberland* county. In order to manifest our abhorrence of the crime, and to obtain, if possible, the persons of the offenders, a proclamation was issued by Council, offering a reward of *eight hundred dollars* for apprehending them, and such other steps have been taken upon this occasion, as will we hope effectually appease the resentment of the *Indians*, and prevent any danger of retaliation.

A desire to promote a good understanding with the *Indians* who reside within the limits of this state has likewise induced us to acquiesce in the wish, which *Corn-Planter* and other Chiefs of the Six Nations have expressed to visit *Philadelphia*, three of whom we have accordingly invited, and they will probably arrive in the course of a few days.

The following acts and resolution of Congress, which were received on *Saturday*, we transmit for your information:

An Act making further provision for the payment of the debts of the United States.

An Act to enable the officers and soldiers of the Virginia line, on continental establishment, to obtain titles to certain lands lying northwest of the river Ohio, between the little Miami and Sciota.

An Act authorising the Secretary of the Treasury to finish the light-house on Portland-Head, in the district of Maine.

An Act declaring the assent of Congress to certain acts of the states of Maryland, Georgia, and Rhode-Island and Providence Plantations.

An Act for the relief of the persons therein mentioned or described.

An Act for the relief of disabled soldiers and seamen, lately in the service of the United States, and of certain other persons.

An

An Act for altering the times for holding the Circuit Courts of the United States in the districts of South-Carolina and Georgia, and providing that the District Court of Pennsylvania shall in future be held at the city of Philadelphia only.

An Act making certain appropriations therein mentioned.

An Act making provision for the reduction of the public debt. And

A Resolution, directing that a return of certain surveys of lands in the Western Territory be made to and perfected by the Secretary of the Treasury.

A letter from the Honorable Frederick Augustus Muhlenberg, Esq; Speaker of the House of Representatives of the United States, inclosing a resolution of the House, dated May the eighteenth last, respecting the terms for which the members of the present Congress were chosen, is also sent herewith.

THOMAS MIFFLIN.

COUNCIL CHAMBER,
Philadelphia, August 31st, 1790.

And the several papers therewith transmitted were also read; and on motion, and by special order, the same were read the second time.

Ordered, That the said message and papers be referred to Mr. Rawle, Mr. Hoge and Mr. Johnston, to arrange the subject matters, and make report thereof.

A petition from 105 inhabitants of the county of Bucks was read, of a similar tenor with the petition of a number of the inhabitants of the same county, read March 18th last.

Ordered to lie on the table.

A petition from the elders and trustees of the Reformed and Lutheran congregations in the township of Maccungy, in the county of Northampton, was read, praying leave to bring in a bill, to be enacted into a law, for the purpose of enabling them to raise, by way of lottery, the sum of fifteen hundred dollars, to discharge the debts incurred by erecting a house of public worship and school-house for the use of the said congregations.

Ordered to lie on the table.

A petition from William Sotherin, confined in the debtors apartment of the city and county of Philadelphia for debt, was read, praying he may be released from further imprisonment.

Ordered to lie on the table.

A petition from John Blair, of Northumberland county, was read, setting forth, that he mortgaged his land to the Trustees of the General Loan-Office to secure the re-payment of a sum of money by them loaned; that by reason of the depredations of the Indians, and other misfortunes, he is unable to discharge the same; and praying a further time may be allowed him for that purpose.

Ordered to lie on the table.

The petition of Adam Hubley, William Shannon and John Chalonier, Auctioneers, read yesterday, was read the second time.

Ordered, That it be referred to Mr. Gurney, Mr. Kennedy and Mr. Balliot, to report thereon.

The petition of John M'Kibben, read August 28th, was read the second time.

Ordered,

Ordered, That it be referred to Mr. Cunningham, Mr. Marshall and Mr. Vaux, to report thereon.

Agreeably to leave given, a member presented to the chair a bill, entitled "*An Act to incorporate the Presbyterian congregation at Middle Spring, in the counties of Cumberland and Franklin,*" which was read the first time, and

Ordered to lie on the table.

The bill, entitled "*An Act to provide for the election of Representatives of this State in the Congress of the United States,*" was read the third time. And in considering the first enacting clause, viz.

"Be it enacted, and it is hereby enacted by the Representatives of the Freemen of the commonwealth of *Pennsylvania*, in General Assembly met, and by the authority of the same, That the election of Representatives, agreeably to the constitution of the United States and the directions of this act, to serve in the Congress of the United States, shall be held by the citizens thereof, qualified to vote for members of the General Assembly, on the second *Tuesday* of *October* next, of which due notice shall be given by the Sheriffs of the respective counties, conformably to the acts of Assembly for regulating the general elections in this State, at the places in the city of *Philadelphia* and in the several counties respectively prescribed by the election laws aforesaid, and in like manner as in and by the said laws is directed for the election of members of the General Assembly; and any person who may or shall be guilty of any neglect or abuse of the said laws, or of any part thereof, at any election to be held in pursuance of this act, may and shall be prosecuted and punished in the same manner, as if he was guilty of the like neglects or abuses in the election of Representatives to serve in the General Assembly."

A motion was made by Mr. *D. Stewart*, seconded by Mr. *Findley*, to re-commit the said bill, excepting the title and preamble, for the purpose of introducing a plan for dividing the state into districts, for chusing Representatives in the Congress for this state, with instructions to the said committee to introduce a clause or clauses for that purpose.

On the question,—"*Will the House agree to the motion to re-commit the said bill for that purpose?*"—the Yeas and Nays being called by Mr. *David Stewart* and Mr. *Findley*, were as follow, viz.

Y E A S.

- 1 *John Stewart,*
- 2 *Herman Husband,*
- 3 *James Barr,*
- 4 *James Allison,*

N A Y S.

- 1 *Lawrence Sickie,*
- 2 *Jacob Hiltzheimer,*
- 3 *William Rawle,*
- 4 *Francis Gurney,*
- 5 *Samuel Ashmead,*
- 6 *Thomas Paul,*
- 7 *Thomas Britton,*
- 8 *Elias Boys,*

Y E A S.

- 5 *James Marshall,*
- 6 *John Gilcbreest,*
- 7 *James Findley,*
- 8 *David Stewart.*

N A Y S.

- 9 *Gerardus Wynkoop,*
- 10 *Valentine Upp,*
- 11 *John Chapman,*
- 12 *James Bryan,*
- 13 *Richard Thomas,*
- 14 *Richard Downing, jun.*
- 15 *Caleb James,*
- 16 *John M'Dowell,*

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N A Y S.

N A Y S.

- 17 James Clemson,
- 18 John Hopkins,
- 19 Henry Dering,
- 20 James Cunningham,
- 21 Jacob Erb,
- 22 John Miller,
- 23 Joseph Reed,
- 24 Jacob Schmyser,
- 25 Thomas Lilley,
- 26 William Godfrey,
- 27 Thomas Kennedy,
- 28 Jonathan Hoge,
- 29 John Ludwig,
- 30 Nicholas Lutz,
- 31 Daniel Leinbach,
- 32 Peter Ealer,
- 33 Stephen Balliot,

N A Y S.

- 34 Conrad Ibrie, jun.
- 35 Anthony Lerch, jun.
- 36 John Moore,
- 37 John White,
- 38 John Baird,
- 39 Alexander Wright,
- 40 James Johnson,
- 41 John Rhea,
- 42 Jonathan Roberts,
- 43 James Vaux,
- 44 Jacob Miley,
- 45 James M'Creight,
- 46 Obadiab Gore,
- 47 John Nevil,
- 48 Hugh Lloyd,
- 49 Richard Riley.

So it was determined in the negative.

And the bill recurring, the same was considered by paragraphs.

A motion was made by Mr. Rawle, seconded by Mr. Boys,

To amend the title, so as to read as follows, viz.

" *An Act to provide for the ensuing election of Representatives of this State in the Congress of the United States.*"

Which was determined in the affirmative; and thereupon

Ordered, That the said bill be engrossed, for the purpose of being enacted into a law.

Adjourned until ten o'clock to-morrow, A. M.

Wednesday, September 1, 1790. A. M.

The House met pursuant to adjournment.

Petitions from the inhabitants of *Robeson, Union, Caernarvon* and *Brecknock* townships, in the county of *Berks*, were read, praying they may be erected into an election district, and by law enabled to hold their general elections at the house now occupied by *John Klingeman*.

Ordered to lie on the table.

A petition from a number of the inhabitants of *Colebrookdale, Earl, District* and *Hereford* townships, in the county of *Berks*, was read, praying they may by law be authorised to hold their general elections at the house now occupied by *Joseph Muthard*, in *Colebrookdale* township aforesaid.

Ordered to lie on the table.

A petition from 206 inhabitants of that part of the *Northern-Liberties* of the city of *Philadelphia*, which lies between the northern bounds of the said city and *Pegg's run*, and between the river *Delaware* and the middle of *Fourth-street*, was read, praying leave to bring in a bill to provide for the establishment and support of a suitable number of lamps, watchmen and pumps, in the said district, by an equal tax on the estates of the inhabitants thereof.

Ordered to lie on the table.

A message

A message from the President and Supreme Executive Council was presented to the chair, and read, as follows, *viz.*

A MESSAGE from the PRESIDENT and the SUPREME EXECUTIVE COUNCIL to the GENERAL ASSEMBLY.

G E N T L E M E N,

IN our message of the thirty-first of *August* we informed your Honorable House, that two friendly *Indians* had been barbarously murdered in *June* last, by citizens of this state, on *Pine creek*, and that we had taken measures for apprehending the murderers, and for preventing retaliation.

Mr. *King*, who was by order of Council dispatched to the *Indian* country with a speech, and with copies of the proclamation issued by Council for apprehending the murderers, returned last evening. He has brought a letter from Mr. *Phelps*, dated *Canandaque*, *August* the 14th, 1790, and a speech from several Chiefs of the *Seneca* Nation, to which the two *Indians* who were murdered on *Pine creek* belonged; which letter and speech we enclose.

We conceive it to be of great importance to the welfare of the good people of this state, that measures should be immediately taken for quieting the minds of the *Indians*. We therefore request a conference with a committee of the General Assembly this morning on the subject.

We transmit a letter from the State Treasurer, relative to the loan-office; with an account of monies due to the commonwealth on mortgages prior to the revolution, which we recommend to the attention of your honorable House.

A letter from *John Beckley*, Esquire, Clerk of the House of Representatives of the United States, and a copy of the journals of the proceedings of that House, accompany this message.

THOMAS MIFFLIN.

COUNCIL CHAMBER,
Philadelphia, September 1st, 1790.

And the papers therewith transmitted were also read; and on motion, and by special order, the same were read the second time: Whereupon

Ordered, That Mr. *Rawle*, Mr. *Wynkoop*, Mr. *Hoge*, Mr. *Marshall* and Mr. *Nevil* be a committee, to confer with the Supreme Executive Council on that part of the message which relates to the murder of two *Indians* on *Pine creek*, and make report.

Ordered, That that part of the message, together with the letter from the State Treasurer relative to the Loan-Office, with an account of monies due to the commonwealth on mortgages prior to the revolution, be referred to Mr. *Gurney*, Mr. *Chapman*, Mr. *Clingan*, Mr. *Balliot* and Mr. *White*, to report thereon.

The petition of *John Blair*, read yesterday, was read the second time.

Ordered, That it be referred to the last named committee, to report thereon.

The petition of the elders and trustees of the Reformed and Lutheran congregations in the township of *Maccungy*, and county of *Northampton*, read yesterday, was read the second time.

Ordered, That the prayer thereof be granted.

The

The petition of *Jeremiah Rees*, read *August 28th*, was read the second time.

Ordered, That it be referred to the members from *Cumberland* county, to report thereon.

The petition of a number of the inhabitants of *Heidleberg* township, in the county of *Dauphin*, read *August 30th*, was read the second time.

Ordered, That it be referred to Mr. *Britton*, Mr. *Lilley* and Mr. *Kennedy*, to report thereon.

Agreeably to leave given, a member presented to the chair a bill, entitled "*An Act for raising, by way of lottery, the sum of eight hundred pounds, for defraying the debts of the incorporated German Reformed congregation in the borough of Reading, in the county of Berks, being for their house of worship, parsonage and school-house,*" which was read the first time, and

Ordered to lie on the table.

Adjourned until ten o'clock to-morrow, A. M.

Thursday, September 2, 1790. A. M.

The House met pursuant to adjournment.

A petition from a number of the inhabitants of the county of *Bedford* was read, stating the inconveniences they labour under by reason of the obstructions to the fishery in *Dunning's* creek and the *Ray's-town* branch of *Juniata*, and praying the same may be declared public highways, from their junction to their first branches.

Ordered to lie on the table.

The committee appointed yesterday, to confer with the Supreme Executive Council on the subject of their message of the first instant, made report, which was read; and on motion, and by special order, the same was read the second time, and adopted, as follows, *viz.*

The committee appointed to confer with the Supreme Executive Council, in consequence of their message of the first of *September*, report, that they have performed the duty assigned to them.

The atrocious murder which appears to have been committed in *Northumberland* county not only requires immediate and vigorous exertion to punish it, on account of national justice, but the dissatisfaction of the *Indians* equally demands immediate attention, to prevent the fatal consequences which might ensue from unnecessary delay, or apparent indecision.

The following resolutions are therefore submitted, *viz.*

Resolved, That this House entertains the greatest abhorrence of every action tending to interrupt the friendly intercourse which has hitherto subsisted with the *Indian* tribes within the limits of this state, and will readily coincide in any requisite measure to support and continue it.

Resolved, That the President and Supreme Executive Council be authorised to draw on the Treasurer of the state for the sum of *one hundred pounds*, to be applied in such manner as appears to them most expedient for the purpose of appeasing the friends and relations of the two *Indians* lately murdered in the county of *Northumberland*, and of preserving a good understanding with the nations to which they belonged; and that they also be authorised to draw on the Treasurer for the necessary expences attending the same.

The

The committee appointed *August 31st*, on the message from the Supreme Executive Council of the same day, to arrange the subject matters, and make report thereof, made report, which was read, as follows, *viz.*

The committee, to whom was referred the message from the President and Supreme Executive Council of the thirty-first ultimo, submit the following resolutions, *viz.*

Resolved, That so much of the message of Council as relates to the magazine for gun-powder be referred to a committee.

Resolved, That that part of the message of Council relative to the repairs of *Mud-Island* be referred to a committee.

Resolved, That so much of the message of Council as refers to the appointment of an Agent on behalf of this state, to endeavour to effect a settlement of accounts with the United States, be referred to a committee.

Resolved, That that part of the message of Council relative to the road from *Frank's-town* to *Conemaugh*, and the balance claimed by *Robert Galbraith*, Esquire, be referred to a committee.

Resolved, That so much of the message of Council as relates to enabling aliens to purchase and hold lands within this state be referred to a committee.

Resolved, That that part of the message of Council which refers to the memorial of the Trustees of the Hospital on *State-Island* be referred to a committee.

The residue of the message, except what relates to the *Indians*, appears to be matter of information, on which it is unnecessary to propose any resolutions.

With regard to the intended friendly visit of some of the Chiefs of the Six *Indian Nations*, the committee is so deeply impressed with the necessity of cultivating an amicable intercourse with the tribes remaining within or near to this state, so far as it can be constitutionally effected, that they conceive it requisite to propose the following resolution, *viz.*

Resolved, That provision be made for defraying the necessary expences which may arise from the visit of some of the Chiefs of the Six *Indian Nations*, of which information has been communicated by the President and Supreme Executive Council.

And on motion, and by special order, the same was read the second time: Whereupon

Resolved, That so much of the message of Council as relates to the magazine for gun-powder be referred to a committee.

Ordered, That Mr. *Gurney*, Mr. *Wynkoop* and Mr. *Hoge* be a committee, on the subject of the aforesaid resolution, and to make report.

Resolved, That that part of the message of Council relative to the repairs of *Mud-Island* be referred to a committee.

Ordered, That Mr. *Hiltzheimer*, Mr. *Paul* and Mr. *Lloyd* be a committee for that purpose, and to make report.

Resolved, That so much of the message of Council as refers to the appointment of an agent on behalf of this state, to endeavour to effect a settlement of accounts with the United States, be referred to a committee.

Ordered, That Mr. *Chapman*, Mr. *Kennedy* and Mr. *Vaux* be a committee, for the purpose contained in the said resolution.

Resolved, That that part of the message of Council relative to the road from *Frank's-town* to *Conemaugh*, and the balance claimed by *Robert Galbraith*, Esquire, be referred to a committee.

Ordered, That Mr. *Kennedy*, Mr. *Marshall* and Mr. *D. Stewart* be a committee, for the purposes contained in the foregoing resolution, and to make report.

Resolved, That so much of the message of Council as relates to enabling aliens to purchase and hold lands within this state be referred to a committee.

Ordered, That Mr. *Rawle*, Mr. *Thomas* and Mr. *Hoge* be a committee, on the subject of the said resolution, and to make report.

Resolved, That that part of the message of Council which refers to the memorial of the Trustees of the Hospital on *State-Island* be referred to a committee.

Ordered, That Mr. *Hiltzheimer*, Mr. *Paul* and Mr. *Lloyd* be a committee, for the purpose contained in the said resolution, and to report thereon.

Resolved, That provision be made for defraying the necessary expences which may arise from the visit of some of the Chiefs of the Six *Indian Nations*, of which information has been communicated by the President and Supreme Executive Council.

The committee appointed *August* 28th, on the petitions of a number of the inhabitants of the second election district in the county of *Washington*, made report, which was read, as follows, *viz.*

The committee, to whom was referred the several petitions of a number of the inhabitants of *Washington* county, on the subject matter of a new election district, beg leave to report,—

That they have examined and considered the subject matter of said petitions, and are of opinion that the prayer of the petitioners for a new election district is just and reasonable, and ought to be granted; and submit the following resolution, *viz.*

Resolved, That a committee be appointed to bring in a bill, to be enacted into a law, to enable the inhabitants of that part of *Sbaughan's* district remaining in *Washington* county, and also of a part of the second district, commonly known by the name of *Bentley's* district, in said county, to hold their annual elections at the house now occupied by *David Hamilton*.

Ordered to lie on the table.

The committee appointed *August* 26th, on the memorial of the Master-Warden, on behalf of himself and the Wardens of the port of *Philadelphia*, made report, which was read, as follows, *viz.*

The committee, to whom was referred the petition of the Master-Warden of the port of *Philadelphia*, report—

That although the duties of the Wardens have been considerably diminished by the cession made to the United States per act of the twenty-eighth day of *September* last, there remain other duties, of too much importance to the trade of the port, to suffer the board to be dissolved, especially as there is reason to believe that Congress will, in the course of their next session, appropriate a sum adequate to all the duties of this business; that in the mean time provision be made, as well to discharge the sum of *seventy-nine pounds six shillings and three-pence* now owing, as to provide for what expences may arise until the end of the next session of General Assembly: The committee beg leave to offer the following resolution, *viz.*

Resolved, That a committee be appointed to bring in a bill, to discharge the sum of *seventy-nine pounds six shillings and three-pence*, out of the monies appropriated for claims and improvements, and to bring in a clause or clauses to repeal so much of the act of General Assembly, passed the fourth day of *October*, one thousand seven hundred and eighty-eight, and the supplement

ment thereto, passed the twenty-seventh day of *March*, one thousand seven hundred and eighty-nine, as relates to the tonnage-officer, and the reports of pilots at the Wardens-office; and also to make provision for diminishing the current expences of the said office.

Ordered to lie on the table.

The petitions of 1223 inhabitants of the county of *Mifflin*, read *August* 28th, were read the second time.

Ordered, That they be referred to Mr. *Lilley*, Mr. *Carson* and Mr. *Harris*, to report thereon.

The letter from *Charles Smith* and *Simon Snyder*, Esquires, read *August* 28th, was read the second time, together with its enclosures.

Ordered, That they be referred to the last named committee, to report thereon.

The bill, entitled "*An Act for altering certain election districts in the county of Northampton*," was read the second time, and considered by paragraphs.

Ordered, That it be transcribed for a third reading, and forthwith published for consideration.

The bill, entitled "*A Supplement to the act, entitled 'An Act to reform the penal laws of this state'*," was read the second time, and considered by paragraphs.

Ordered, That it be transcribed for a third reading, and forthwith published for consideration.

The bill, entitled "*An Act to alter the time of holding the County Courts of Common Pleas and Quarter Sessions for the county of Delaware*," was read the second time, and considered by paragraphs.

Ordered, That it be transcribed for a third reading, and forthwith published for consideration.

Adjourned until ten o'clock to-morrow, A. M.

Friday, September 3, 1790. A. M.

The House met pursuant to adjournment; and

Adjourned until ten o'clock to-morrow, A. M.

PETER Z. LLOYD, *Clerk of the General Assembly.*

TO THE CITIZENS OF PENNSYLVANIA.

IN the constitution, which received its public completion on the second instant, it is established, that "The Legislative power of this commonwealth shall be vested in a General Assembly, which shall consist of a Senate and House of Representatives."

No provision is made, in any part of it, for the temporary continuance of the Legislative functions of the House of Assembly: Hence it has been doubted, whether our powers did not cease with the adoption of the constitution; whether a Legislature, consisting of a single House, could bind the people by laws, after the people had declared that their laws should be the act of two Houses, with the sanction, under certain regulations, of the Chief Executive Officer. We have considered that the power vested in the late

late Convention was necessarily superior to ours, though derived from the same source, at the same time. To them was intrusted the office of making a new plan of government, after an *avowed* experience of the inconveniences of the former; to us, the task of common and necessary legislation, while they were so employed. As they were not restrained in their appointment to any time at which the government they might form should commence in its effect, it is obvious that they were no less masters of this circumstance, than of the different parts and principles of which the system should be composed.

To deny, therefore, the authority of the Convention to supersede the powers we possessed, would be to dispute the authority of the people from whom we received our powers, and to whom we are accountable for the exercise of them.

In this peculiar situation we have not relied altogether on our own judgment. We have consulted with the President and Supreme Executive Council (who are expressly continued in office) with the Judges, and other respectable authorities in the profession of the law.

We have found their opinions generally to coincide with ours. We have also contemplated the impropriety of proceeding under an authority doubtful, and perhaps extinguished, at a considerable expence to the commonwealth, to enact laws, which perhaps will not be enforced, and to direct measures, which might only terminate in disorder and disobedience.

We have therefore thought it our duty to retire from the stations in which we were placed, although it is with regret that we leave much necessary business unfinished.

We have also considered ourselves under the obligation of informing you, to whom we hold ourselves accountable for our public conduct, of the reasons which have induced us to decline the further exercise of the trust which you have reposed in us.

SEPTEMBER 4th, 1790.

Lawrence Sickle,	James Cunningham,	John Baird,
Jacob Hiltzheimer,	John Miller,	James Barr,
William Rawle,	Joseph Reed,	Thomas Ryerson,
Francis Gurney,	Jacob Schmyser,	James Marshall,
Richard Peters,	John Stewart,	Alexander Wright,
Samuel Ashmead,	Thomas Lilley,	John Gilcbreeft,
Thomas Paul,	William Godfrey,	James Johnson,
Thomas Britton,	Thomas Clingan,	John Rhea,
Elias Boys,	David Mitchell,	Jonathan Roberts,
Gerardus Wynkoop,	Jonathan Hoge,	Benjamin Markley,
John Chapman,	John Ludwig,	James Vaux,
James Bryan,	Nicholas Lutz,	John Carson,
Richard Thomas,	Daniel Leinbach,	James M ^c Creight,
Richard Downing, jun.	Peter Ealer,	Obadiab Gore,
Caleb James,	Stephen Balliot,	David Stewart,
John M ^d Dowell,	Conrad Ibrie, jun.	John Nevil,
James Clemson,	Anthony Lerch, jun.	Hugh Lloyd,
John Hopkins,	John Moore,	Richard Riley.
Henry Dering,	John White,	

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